IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO. 249 OF 2005
IN
WRIT PETITION NO. 7322 OF 2004

MOTIRAM BABURAO SALUNKHE .. APPELLANT

Versus

THE PRESIDENT, JANATA SHIKSHAN
SANSTHA SHIR & ORS. .. RESPONDENTS

Mr. S. S. Pakale for appellant
Mr. S. A. Sawant for R

CORAM:-SMT. RANJANA DESAI &
D.B. BHOSALE, JJ.

DATED:- 9/1/06

P.C.

. The School Tribunal ("the Tribunal" for short) has come to the conclusion that the appellant was appointed on permanent vacancy on probation vide appointment order dated 19/6/97. His services were terminated vide notice dated 30/3/99 under Section 5(3) of the Maharashtra Employees of Private Schools ("M.E.P.S. Act" for short), Act, 1977. The Tribunal has come to conclusion after perusing the material that the appellant’s work is not satisfactory.

2. We have carefully perused the order of the Tribunal. We find that the said reasoning of the Tribunal cannot be said to be faulty and the learned Single Judge has rightly upheld the view of the Tribunal. The learned Single Judge has rightly held that such a teacher cannot be imposed on the school. We concur with this view. We also have serious doubt about the maintainability of this Letters Patent Appeal. In any case since there is no substance in it, it is not necessary for us to go into that aspect. Letters Patent Appeal is dismissed.

(SMT. RANJANA DESAI,J.)

(D. B. BHOSALE, J.)